Attorney Docket Number: DEP5292USNP

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

 Inventor:
 Moore
 Group Art Unit: 3733

 Serial No.:
 10/821,284
 Examiner: Hoffman, Mary

 Filed:
 April 9,2004
 Confirmation No. 1111

Title: Instruments and Methods for Minimally Invasive Spine Surgery

I hereby certify that this correspondence is being transmitted via
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(Date of Transmission)

David A. Lane

(Name of applicant, assignee, or Registered Representative)

/Amy Pelletier/ (Signature of person filing)

10/13/2010 (Date of Signature)

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## AMENDMENT AND RESPONSE PURSUANT TO 37 CFR 1.111

Dear Sir:

In response to the Office Action of May 13, 2010, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.